

**APR 10 2006**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

PEDRO FERNANDEZ PAZ,

Defendant - Appellant.

No. 05-10505

D.C. No. CR-04-05257-AWI

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the Eastern District of California  
Anthony W. Ishii, District Judge, Presiding

Submitted April 5, 2006<sup>\*\*</sup>

Before: HAWKINS, McKEOWN and PAEZ, Circuit Judges.

Pedro Fernandez Paz appeals from the district court's judgment and 70-month sentence imposed following a guilty plea conviction to being a deported

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<sup>\*</sup> This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

alien found in the United States, in violation of 8 U.S.C. § 1326. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Paz has filed a brief stating that there are no grounds for relief, and a motion to withdraw as counsel of record. Paz has not filed a pro se supplemental brief, and the government has not filed an answering brief.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 83 (1988), discloses no grounds for relief. Counsel's motion to withdraw is **GRANTED**, and the district court's judgment is **AFFIRMED**.